

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

14-1171 - Capital Machine Company v. Miller Veneers

Plaintiffs/Appellants' Appendix

**ORDER**

The foregoing, having been received and examined is not in compliance with the rules of this court and is therefore rejected for filing at this time.

A corrected brief or appendix must be filed within 14 days from the date of this order or there could be adverse consequences. **Please read this letter carefully as some of the items may not apply to your appeal.**

- If the submission is rejected due to the principal attorney not filing an **Entry of Appearance and/or Docketing Statement**, you do not need to comply with the below mentioned items. Promptly submit the required form(s) [form(s) can be obtained on the court's website [www.cafc.uscourts.gov](http://www.cafc.uscourts.gov)]. Once the entry of appearance and/or docketing statement is received, your brief will be accepted for filing.
- If the submission is rejected for being **out of time**, you do not need to comply with the below mentioned items. Leave of court, requested by motion, to file the submission out of time is required.

The deficiencies are set forth in the attached listing. The following shall apply when making corrections:

1. Counsel may elect to make corrections to the rejected version held in the Clerk's Office, or file a new, corrected brief. *(Applies to briefs filed in paper format only.)*
2. To make corrections to the copies held in the Clerk's Office, an appointment is required. Corrections must only be made by counsel of record or by designee. Briefs cannot leave the Clerk's Office. (See Practice Note 32) *(Applies to briefs filed in paper format only.)*
3. Inserts cannot extend beyond the original pages and cannot be left loose in the brief. *(Applies to briefs filed in paper format only.)*
4. The corrected brief must have the word "CORRECTED" on the cover.
5. The corrected version must be served on all counsel.
6. The corrected version must be accompanied by a new proof of service.
7. The deficiencies cited in this order must be the only changes made to the brief or appendix.

Calculation for the next filing starts from the mail service date of the original version, not the corrected version.

If you wish to speak to a deputy clerk about this order and your appeal number ends in 1, 2, 4, 5 or 8 please call 202-275-8034. If your appeal number ends in 0, 3, 6, 7 or 9 please call 202-275-8029. Please consult the Rules of Practice before you call and have them at hand.

FOR THE COURT

February 24, 2014

/s/ Daniel E. O'Toole

Daniel E. O'Toole  
Clerk of Court

cc: Cynthia A. Bedrick  
Charles B. Daugherty  
James Lee McNeely  
Michael A. Swift

**UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT**

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The Plaintiffs/Appellants'Appendix has been rejected for following reasons:

- The table of contents of the nonconfidential appendix must include a paragraph describing the general nature of the confidential material that has been deleted. Fed. Cir. R. 30(h)(1)(B)
- A confidential appendix must be labeled as "confidential" on the cover. Fed. Cir. R. 30(h)(1)(A)
- Each page in the confidential appendix containing confidential material must enclose this material by using brackets or indicate by highlighting. Fed. Cir. R. 30(h)(1)(A)
- A nonconfidential appendix submitted must be labeled as "nonconfidential" on the cover. Fed. Cir. R. 30(h)(1)(B)
- When confidential material is included in the appendix, two sets of appendices must be filed. Fed. Cir. R. 30(h)(1)

(To be more specific, the two sets of appendices (confidential and non-confidential) should be identical containing nearly the same amount of pages. Where the non-confidential would normally contain confidential information, that page or pages shall be redacted or the information itself can just be redacted. The confidential appendix shall have a cover. Please call if you have any questions)